

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(s):	Themier	CONF. NO.:	6585
SERIAL NO.:	09/847,145	ART UNIT:	2174
FILING DATE:	05/02/2001	EXAMINER:	Nguyen, Le V.
TITLE:	METHOD FOR CONTROLLING A SYSTEM, ESPECIALLY AN ELECTRICAL AND/OR ELECTRONIC SYSTEM COMPRISING AT LEAST ONE APPLICATION DEVICE		
ATTORNEY DOCKET NO.:	1001-010326-US(PAR)		

Board of Patent Appeals and Interferences  
Commissioner of Patents  
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Alexandria, VA 22313-1450

**Pre-Appeal Brief Request for Review**

This is in response to the Final Office Action mailed February 23, 2007 in regard to the above-identified patent application.

Claims 1 and 10 may be taken as being representative of the claimed subject matter, both being directed to a method for control of a system having a plurality of application devices. Both of these claims recite similar limitations redacted as

(1) receiving and identifying control information at the system, (2) interpreting an instruction of the control information in accordance with available ones of the application devices by checking whether the control information is known, unambiguous and complete for one of the application devices; (3) signaling the user, in a case of ambiguity of the control information, to enter further control information; and (4) controlling the one application device. Claim 10 further includes the feature of signaling to the user to resolve a lack of knowledge or ambiguity or incompleteness of the

control information.

#### THE POSITION OF THE EXAMINER

With respect to rejection of claim 1, the examiner (bottom of page 2 of the Action) refers to Bush who teaches a wireless, voice-operated control transmitter (Abstract). The examiner lists structure from Bush which is said to correspond to limitations of claim 1. However, the examiner admits (last two words of page 2 and top of page 3 of the Action) that Bush does not disclose signaling of the user in the case of ambiguity of the control information. The examiner relies on Houser to provide the missing disclosure.

With respect to the rejection of claim 10, the examiner refers (paragraph linking pages 5-6 of the Action) to the same passages in Bush and in Houser, as are employed in the rejection of claim 1. Attention is directed also to claim 22 which contains far more detail than claim 1, and should be allowable in view of the following argument.

#### APPLICANT'S ARGUMENT

A distinguishing feature of the claimed subject matter, which distinguishes the claimed subject matter from Houser, considered in combination with Bush, is the inventive feature wherein, in the case of ambiguity of the control information, the user is signaled to enter further control information relating to a selection of possible applications to which the ambiguous control information can be applied until the totality of inputted control information is unambiguous. This is the feature that the examiner seeks to find in Houser.

It is urged that the teachings of Houser, considered in combination with Bush, do not suggest the presently claimed subject matter. The following observations about the Houser teachings are believed to negate any motivation to combine the references, and furthermore show that the Houser teachings relate to material distinctly different

from the claimed subject matter. This is the case with the signaling of the user in the case of ambiguity of the control information, the disclosure which the examiner attempts to obtain from Houser.

The teaching of Houser relates to a system for controlling a device, such as a television, and for controlling access to broadcast information such as video, audio, and/or text information. A remote control 166 provides spoken control of devices 162-1 to 162-n. The exemplary vocabulary set is shown in table I in col. 18; a supplementary command grammar specifies how the words of the vocabulary set may be used. For instance, the user may utter "POWER ON", such that upon recognition of this command, a television set (162-2) is switched on, or the user may utter "POWER OFF" such that the television set is switched off (cf. col. 19, line 61 to col. 20, line 9). Likewise, the user may utter "GOTO CHANNEL NUMBER", where NUMBER is a user spoken number such that television set is tuned to the corresponding spoken channel number (cf. col. 20, line 62 to col. 21, line 5).

Houser further suggests a handling of misrecognition, which is performed when the user uttered (spoken) input cannot be identified at the required likelihood level. Herein, misrecognition means that two recognition options have comparable likelihoods, which means that the speech recognition software cannot identify which command of a plurality of possible commands is actually intended by the user uttered (spoken) input. In col. 19, lines 37 to 52, this error handling is described on the basis of the user uttered command "GOTO CHANNEL SIXTEEN", which can be confused by the speech recognition software with the command "GOTO CHANNEL SIXTY". In such a case, the more commonly spoken command may be implemented.

It is important to understand the usage of terminology in the present claims and in the Houser reference. Attention is directed to the terms "known", "unambiguous", and "complete", which should be understood in the context of the description of the present specification (cf. in particular sections [0032] to [0034] of the specification).

With respect to the use of terminology in the claims, it is understood from present Fig. 3 that "known" (operation S16) concerns subject matter such as a "misrecognized" input discussed by Houser. This means that in case of an "unknown" input the user input should be repeated by returning to the input operation S11. The correspondence of the term "known" and "misrecognition" can be made out from the substantially same operational sequence, which suggests dismissing the first "misrecognized" input, and processing the new input uttered by the user. Attention may be drawn also to the example given in paragraph [0038] of the present specification, where the handling of misrecognition is described as being performed by the operations S13 and S14.

Further, an input is "ambiguous" in case the known input can be executed in a number of applications or is associated with a number of functions in an application. In this case, further specification is required, which is stipulated by user enquiry of the possibilities indicated (cf. operation S19). Hence, the input (operation S11), which is required from the user is "aggregated" or "composed" upon the previous "ambiguous" input. Each of the inputs to be aggregated has to be known to the speech recognition because the operations S15 and S16 are processed independently for each user uttered input. This interpretation of the term "ambiguous" is also supported by the example given in paragraph [0039] of the specification. Further, with reference to paragraph [0039], an input is "ambiguous" if this input can be associated with control instructions concerning different applications.

Moreover, an input is "incomplete" (not "complete") when further information is required in order to execute the instruction. This means that although the input of the user is known and unambiguous, such that one function of one application can be identified, further user input is required for allowing a performing of the function of the application. Similar to an "ambiguous" input, the further information is again "aggregated" or "composed" upon the previous input(s). A corresponding

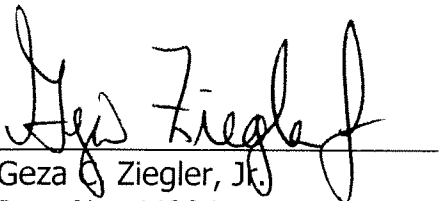
embodiment thereof is described in paragraph [0041] of the specification.

Based on the foregoing observations of Houser, it may be concluded that, according to the teachings of Houser, the speech recognition user interface compares spoken sounds or words with phonemic data of a vocabulary. In case the comparison does not result in a recognition, the user may be prompted to repeat the input. This means, that the spoken sound or words previously inputted by the user are dismissed (Houser, col. 19, lines 27-30 and 32-37). Hence, only the last spoken user input is processed, but not the totality of all user inputs thereof. Alternatively, in case the comparison does not result in a recognition, the subscriber terminal unit identifies similar-sounding commands each having a likelihood defining an assumed actual user intention. If the likelihood of the similar-sounding commands are the same, the user is informed about the identified options, and is asked to select one over the other (Houser, column 19, lines 41 to 46). The first spoken user input is merely processed for identifying the possibly user-intended commands, but upon presentation of the options, among which the user has to select, the first spoken user input is again dismissed, and only the last spoken user input is finally processed. This means that the speech recognition of Houser does not process the totality of all spoken user inputs.

The foregoing analysis of the teachings of Houser, considered in combination with the teachings of Bush, demonstrates that the basic thrust of Houser, in dealing with the failure of a system to respond to an ambiguity of the control information, leads to a set of steps of a procedure which differs markedly from that of the presently claimed subject matter.

Accordingly, the rejection of the examiner should be reversed so as to find allowable subject matter in the claims.

Respectfully submitted,



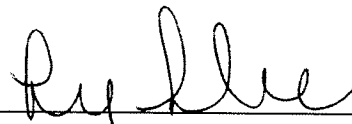
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Date: 22 May 2007

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